

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Rajesh B. Shah)	
)	
vs.)	
)	Docket 03-0494
Illinois Bell Telephone Company)	
)	
Complaint as to classification of)	
Residential into business line by)	
Utility company in Chicago, Illinois)	

BRIEF OF ILLINOIS RAJESH B. SHAH

Rajesh B. Shah submits this brief following the hearing on the merits of the above-captioned proceeding:

FACTS

Rajesh B. Shah, the plaintiff in the case requested one residential telephone line to be installed at location 107 W Van Buren 215, Chicago, IL 60605; however, defendant Illinois Bell Telephone Company's marketing personnel offered plaintiff one additional telephone line classifying it into Business line.

JUSTIFICATION BASES ON EXHIBITS:

SBC Illinois Exhibit 1.0

Per direct testimony of Ms. Kathryn Conrow on behalf of SBC Illinois, there were no promotions such as buy one get one free available to residential line around time when I called to request residential line and according to her the line was established on July 28th, 2000. However, per my records original request for installation was scheduled on July 25th, 2000 and was delayed due to understaffed issue by the defendant. The original order was placed as residential line and was later changed few times before the installation order was issued. The history is not available by defendant upon request but it only shows that there were some changes in order. During her personal appearance, she did mention that business can be of one line and can be a global entity. However, she refused to respect my claim as request of residential line.

SBC Direct 1

The exhibit shows that original order was taken on July 21st, 2000 (APP 07-21-00) with installation date July 28th, 2000; however, there is one more date under SAPP 07-26-00 and perhaps that may be the date they reenter the order and classified as business with installation date of July 28th, 2000.

The exhibit also shows that my previous number was (312) 910-0011 that I selected because it was easy to remember. During hearing, I also mentioned that at one time I owned telephone number (312) 902-3333, which was also selected by me after checking with Telephone Company for selecting easy to remember telephone numbers.

SBC Direct 2

The exhibit is describes TERRIF and definition of classes between Residential vs. Business.

Paying attention to Section 2 of GENERAL 1.3

A:

1. The service is not used primarily or substantially for a paid commercial, professional or institutional activities; or
2. The service is a brand new place, where there was no telephone line exist and is allowed for non commercial use per Exhibit: SHAH . There are residential places around the neighborhood, including conversion of commercial places into residential location.
3. The service number was requested to be listed in Residential white pages and no permission was given or even discussed to list it as the principal or only number for a business in any Ameritech Pages Plus directory; or
4. The service is not used to conduct promotions, solicitations, or market research for which compensation or reimbursement is paid or provided. Nor the services is used for without compensation or reimbursement for a charitable or civic purpose.

B:

1. The use of the service is primarily and substantially of a social or domestic nature, and
2. Service is located in a residence or, in the case of a combined business and residence premises; the service is located in bonafide residential quarters of such premises. Residence located in the business quarters of the same premises. Residence ser4vce may be extended into a business location, in the case of the combined business and residence premises, on an incoming-only basis. (NOTE: The location used as physical address of Shah-USA however; the business is operated by personal contact, correspondence with PO Box and email address as primary contact. Telephone is used as incoming use only.

C: The level of usage for the services is less than \$10.00 per month.

SBC Direct 3

The exhibit consist of spreadsheet for SUMMARY OF SBC ILLINOIS BILLS beginning from July 2000 to September 2003 with total net due of \$2,608.30 and total payment after some adjustments of \$1,266.19. The payment was made primarily with assurance from the defendant that there will not be any complication in future for billing purpose and will move the telephone listing from business to residential. Therefore, the summary should not be considered into account and also the paid amount \$1,266.19 must be refunded as the defendant failed to keep their promises when the payment was made.

SBC Direct 4

It is one of common examples of discussions in which at the time of adjustments, they repeatedly doubt about location and keep asking same questions. Even the representative who took initiatives in making adjustments, called the adjustment as GOODWILL adjustment. However, no action was taken to correct the problem from root by changing its classification and correcting billing amount.

SBC Direct 5

This is another good example of own discretion regarding the note

JAC wrote on the account:

CALLS EVERY MONTH FOR SOMETHING *****
*****PER CALL DETAIL CAN NOT TAKE
NO FURTHER ADJUSTMENTS ARE TO BE MADE

PW wrote additional comments:

CUST WATCH FOR FUTURE ADJ REQ NO MORE

Prior to submission of this EXHIBIT, I did discuss the problem of my calling the defendant of regular basis and spend valuable time to the JUDGE during hearing. It was actually socking to me when I saw the note that no one is allowed to listen my call and take any action in that reference.

SBC Direct 6

Example of my times with customer service.

SBC Direct 7

This is TARRIF explaining monthly rates.

SBC Direct 8

Tariff section – discusses liability issues of listing of defendant for alphabetical directory listing. The listing of name is suppose to be under Shah ; however ; the name was listed under Rajesh .

SBC Direct 9

Continuation of Alphabetical directory listing

SBC CROSS 1

Copy of directory white page for Business / Residential published in February 2003 for Area Code 312 / 773.

The name should appear under Shah page and not Rajesh page. In other words, the defended failed to list personal name as last name.

SBC CROSS 2

It is a picture of entrance of the building located on 107 W Van Buren. City is changing its shapes and converting commercial to residential and many properties into mix of both.

SBC CROSS 3

A copy of first statement from the defendant, which really offended plaintiff. Dated Jul 29 to Aug 28, 2000. Also, other portion of the exhibits are following statements.

SBC CROSS 4

This is a printed copy of web site www.shah-usa.com that was designed by me after completion of HTML course. Primary business activities are done through emails, and PO Box. Telephones are used only for incoming and not for marketing or solicitation.

(312) 789-9500 and (312) 789-9600 are the only two telephone lines I own in this entire world / universe. These are my personal and primary lines and used for domestic purpose.

Location address is shown on the address area because I do not own or rent any other property. For credibility purpose a physical address is needed to every business. Description on the web page is what I can do and offer, however, there is no significant business I am gaining from the site.

THE WEB ADDRESS WAS NOT EXIST WHEN TELEPHONE SERVICES WERE REQUESTED

SBC CROSS 5

A listing on the web showing Shah-USA as NOTARY PUBLIC which I am offering as a social service. I did submit my name and web site as a part of my training of web site development.

THE LISTING WAS NOT EXIST WHEN TELEPHONE SERVICES WERE REQUESTED

SBC CROSS 6

Another submission of name under tax preparatory services, which I can offer and am qualified. I do not know how the web site owner got my name, I have those skills and upon request from individuals and businesses I do prepare taxes at their premises.

THE LISTING WAS NOT EXIST WHEN TELEPHONE SERVICES WERE REQUESTED

SBC CROSS 7

Web site <https://slider-secure.vendercom.com> have extract of my web site in their site. The web site is SECURED site as it begins with https: and not http: . I do not know how they collect the names of various businesses. But I possess skills of bookkeeping, Accounting and preparing tax returns. Most of the work is done at client's location if requested.

THE WEB ADDRESS WAS NOT EXIST WHEN TELEPHONE SERVICES WERE REQUESTED

SBC CROSS 8

Listing of web site which was part of Free Submit your site 40+ Engines and was part of my education of building web site.

THE WEB ADDRESS WAS NOT EXIST WHEN TELEPHONE SERVICES WERE REQUESTED

SBC CROSS 10

It is Part 2 Section 2 and 3 with issued date October 23, 1995.

SHAH

A listing of Rajesh B. Shah in Yellow page in Employment section, which should not be listed. I never authorized or asked to list my name as business.

CONCLUSION

THEREFORE, for all of the reasons stated above, Illinois Bell Telephone Company, the defendant should be denied. The Commission should specifically find that Illinois Bell Telephone Company, the defendant failed to listen to Rajesh B. Shah's, the plaintiff's, request to install and list telephone lines in residential category with appropriate justification of damages listed below because:

1. the defendant originally took the order for one residential telephone line;
2. offered another additional telephone line as sales / marketing;

DAMAGE: @\$10pm X 48 months (July 2004) = \$480.00

3. delayed the installation as promised on July 24th, 2000 to July 28th, 2000

DAMAGE: @\$40.00ph X 16 = \$640.00 (loss of opportunity income for 2 days)

4. offered two telephone numbers ending last two digits 00 in a serial (9500 and 9600) which per defendant are offered only to business customers; when requested easy to remember telephone numbers;

DAMAGE: The defendant used those numbers as defense that those are classified as business lines. Request was merely for easy to remember telephone numbers. But their listing those numbers in business section of white page and not residential section. Also, listing was made not in aligned with last name letter which is Shah. Lost so many timely calls of family and friends who may be looking to call me by searching either residential white page, or seeking help from operators by giving my last name. \$5,000.00 .

5. made their own discretion to classify the line as Business including billing, omission of listing in white page of residential categories, listing in Yellow Pages under Employment category without any reason;

DAMAGE: Handling of several telephone calls of unemployed individual looking for jobs, employers looking for prospective employers, walk in to the location with the hope of applying for job, finding job etc. \$50 X 10hrs. Per week X 48 months = \$240,000

6. promised to correct their mistakes every months by billing correct amount and changing listing to residential line but the defendant made a note on their CRM computer system using word "calling every month" to plaintiff's account which may easily prejudice next person who handles my calls and talk defensively;

DAMAGE: Created mental health problem and wasted valuable time. Also, damaged personal image in the mind of the plaintiff's employees who handled the calls as frequent caller / complaining customer. \$281,266.19 (\$70,000pa salaried job X 4 years) plus paid invoices \$1,266.19

7. Repeatedly threat to disconnect telephone lines and also interrupted connections for nearly 6 times even after Consumer Services Division of the Commission informed them about the disputes;

DAMAGE: Calling customers service of the defendant, spend hours convincing them; ultimately seeking assistance of the Commission's Consumer Service Division via telephone, fax and mail: $\$500 \times 12 = \$6,000$

8. Repeatedly made collection calls, threat about their visiting my place, and exhort the money, which the defendant billed me.

DAMAGE: Mental stress and disturbance in regular life:
 $\$500 \times 48 \text{ calls aprx.} = \$24,000$

9. Repeatedly, made conference calls with several staff members of the defendant who verbally abused me and forced me to pay the money;

DAMAGE: Reactions in terms of screaming, yelling, mental stress, verbal abuse, putting down, humiliation, scaring, threatening etc. Demonstration of a big company, with lots of employees, brain washing the same facts in favor of defendant.
 $\$500 \times 5 \text{ person on telephones} \times 5 \text{ calls aprx.} = \$12,500.00$

10. Refused to make amicable correction which lead me to file formal complaint.

DAMAGE: $\$500 \times 50 \text{ appearance; letter writing, responding, receiving etc.} = \$2,500.00$

TOTAL DAMAGES: \$571,120.00

Respectfully submitted,

Rajesh B. Shah
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